



AT/ JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Thomas Ross )  
For: Anterior Cervical Plate ) Art Unit: 3733  
Serial No.: 10/676,064 ) Examiner: James L. Swiger III  
Filed: October 2, 2003 ) Conf. No.: 7730

TRANSMITTAL LETTER

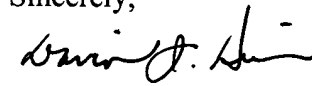
February 5, 2007

Mail Stop AF  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

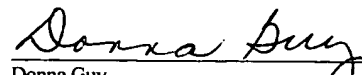
Enclosed is a Response to an Office Action which was mailed on January 19, 2007 in connection with the application identified above, along with a postcard receipt addressed to Applicants' attorney. Also enclosed is a check for \$200 to cover the fee for an additional independent claim. Please file the Response, mark the postcard with the date of receipt and return it to the undersigned attorney. Thank you for your cooperation.

Sincerely,

  
David J. Hill  
Attorney for Applicant  
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with postage prepaid in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on February 5, 2007.

  
Donna Guy  
Date of Signature: February 5, 2007



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AMENDMENT/RESPONSE TO OFFICE ACTION

February 5, 2007

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Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed on January 19, 2007. Claims 1-20 are pending in the application. Claims 1, 4, 5, 12, 13 and 20 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,193,721 of Michelson. Claims 13 and 14 have been rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement because of language added in a prior amendment. Objection has been raised to claims 1 and 13 for use of the term "whereat". Objection has been raised to claims 2, 3, 6-11 and 14-19 as being dependent on rejected base claims. Applicant has now cancelled claims 1, 4, 5 and 13, and amended claims 2, 6 and 10 to incorporate the limitations of claim 1 therein. Applicant has also amended claim 14 to incorporate therein the limitations of claim 13, and has further amended claim 14 to remove the objectionable language which gave rise to the rejection under §112. Applicant has also amended claim 12 to make it depend from claim 6, and claims 18-20 to make them depend from claim 14. Because these amendments have increased the number of independent claims by one, a check for \$200 is enclosed to cover the fee for the additional claim.